

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ODIS SMITH, #82469,
Petitioner

v.

STATE OF LOUISIANA,
Respondent

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CIVIL ACTION NO. RDB-05-2999

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MEMORANDUM OPINION

Petitioner is an inmate confined in the Washington Correctional Institute located in Angie, Louisiana. He seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Upon review of the Petition, the Court concludes that transfer of this Petition to the proper federal court located in Louisiana is appropriate.

This Court “in the exercise of its discretion and in furtherance of justice” may transfer Petitioner’s application for writ of habeas corpus to “the district court for the district within which the State court was held which convicted and sentenced” Petitioner. 28 U.S.C. § 2241(d). Petitioner attacks convictions entered against him by the Twenty-second Judicial District Court, Parish of St. Tammany, Covington, Louisiana. (Paper No. 1). All of the records pertaining to these convictions are located in Louisiana and Petitioner is incarcerated in Louisiana. Petitioner has no readily apparent ties to Maryland but rather has filed the petition in this Court under the mistaken belief that as a result of Hurricane Katrina the federal courts for the district of Louisiana are not accepting pleadings. Petitioner is currently incarcerated in Washington Parish, which is located within the jurisdiction of the United States District Court for the Eastern District of Louisiana. In light of the

foregoing, this Court shall transfer this case to such other court for hearing and determination as deemed appropriate.¹ *See* 28 U.S.C. § 1404.

A separate Order follows.

Dated: November 8, 2005

/s/
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE

¹Petitioner has submitted a motion for leave to proceed in forma pauperis. Because this case is being transferred, a ruling on Petitioner's filing status will be deferred.